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No. 03-1693

In the Supreme Court of the United States

McCREARY COUNTY, KENTUCKY, ET AL.,
Petitioners,

v.

AMERICAN CIVIL LIBERTIES UNION OF KENTUCKY, ET AL.,
Respondents.

On Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit

BRIEF OF *AMICUS CURIAE* AMERICAN CENTER FOR LAW AND JUSTICE IN SUPPORT OF PETITIONERS

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INTEREST OF AMICUS CURIAE

Amicus, American Center for Law and Justice (ACLJ), is a nonprofit, public interest law firm and educational organization specializing in First Amendment litigation. ACLJ attorneys have argued or participated as amicus curiae in numerous cases in this Court. *See, e.g.*, *McConnell v. Federal Election Comm'n*, 540 U.S. 93 (2003); *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000); *Hill v. Colorado*, 530 U.S. 703 (2000); *Lamb's Chapel v. Center Moriches Union Free Sch. Dist.*, 508 U.S. 384 (1993); *Bray v. Alexandria Women's Health Clinic*, 506 U.S. 263 (1993); *Westside Comm. Sch. v. Mergens*, 496 U.S. 226 (1990).

Amicus has represented nearly two dozen governmental entities in cases involving the defense of public displays of the Ten Commandments and other objects with religious significance, including the following reported cases: *City of Elkhart v. Books*, 532 U.S. 1058 (2001) (Rehnquist, C. J., with whom Scalia and Thomas, J. J., join, dissenting from denial of cert.) (Fraternal Order of Eagles Ten Commandments Monument in front of city hall); *ACLU of Ohio Found., Inc. v. Ashbrook*, 375 F. 3d 484 (6th Cir. 2004) (Ten Commandments poster in courtroom display); *ACLU Neb. Found. v. City of Plattsmouth*, 358 F.3d 1020, *rehearing granted,* 2004 U.S. App. LEXIS 6636 (8th Cir. Neb., Apr. 6, 2004) (Fraternal Order of Eagles monument in city park); *Freedom From Religion Foundation, Inc. v. City of Marshfield*, 203 F. 3d 487 (7th Cir. 2000) (statue of Jesus Christ in city park); *ACLU v. Mercer County*, 240 F. Supp. 2d 623 (E. D. Ky. 2003) (Decalogue included in Foundations of American Law and Government courthouse display); *Schmidt v. Cline*, 127 F. Supp. 2d 1169 (D. Kan. 2000) (In God We Trust poster in county treasurer's office). The ACLJ

has developed a special expertise in this area which would be of benefit to the Court.

SUMMARY OF ARGUMENT

The decision below is premised upon the Sixth Circuit's curiously xenophobic dimissal of the Decalogue as "several thousands of years old, [and] not a product of European or American culture . . ." *ACLU of Kentucky v. McCreary County*, 354 F. 3d 438, 460 (6th Cir. 2003).[1] But, despite not having been "made in the U.S.A.," the Ten Commandments have long been acknowledged for their role in the formation of the Western legal tradition generally and Anglo-American law in particular. From the beginning of the Nation's history and, with the exception of recent decisions such as that of the court below, recognition of the Decalogue's influence on secular legal codes has been noncontroversial.

Such recognition has manifested itself historically in widespread references to the Decalogue by government officials, especially members of the judiciary, as a source and symbol of law. Depictions of Moses and the Ten Commandments in public buildings and spaces, especially those concerned with the making of laws and the administration of justice, are ubiquitous and may be considered "part of the fabric of our society." *Marsh v. Chambers*, 463 U.S. 783, 792 (1983). Widespread use of the Ten Commandments as a symbol of rules in purely secular contexts further demonstrates that a reasonable observer, viewing the Decalogue in the context in which it is displayed

[1] A similar observation could be made about such rather ubiquitous things as the wheel, numbers, language, fire and the human race itself.

by petitioners, would recognize and understand that petitioner's purpose is a secular one.

Given the historically undeniable secular impact of the Decalogue on the development of our legal system, as well as its culturally pervasive use as a symbol of secular law, the Sixth Circuit's virtual presumption of invalid religious purpose and implicit requirement that governments go to extraordinary lengths to "secularize" displays of the Decalogue is unwarranted by the Establishment Clause.

ARGUMENT

THE HISTORY AND UBIQUITY OF GOVERNMENTAL AND OTHER SECULAR RECOGNITION OF THE DECALOGUE SUPPORTS THE INCLUSION OF THE TEN COMMANDMENTS IN A DISPLAY OF FOUNDATIONS OF AMERICAN LAW.

The decision below completely omitted any reference to the "history and ubiquity" element of this Court's endorsement test.[2] *Lynch v. Donnelly*, 465 U.S. 668, 693 (1984) (O'Connor, J., concurring) ("because of their history and ubiquity, those practices [Thanksgiving, In God We Trust] are not understood as conveying government approval of particular religious beliefs"); *County of Allegheny v. American Civil Liberties Union*, 492 U.S. 573, 630 (1989) (O'Connor, J., concurring) ("the 'history and ubiquity' of a practice is relevant because it provides part of the context in which a reasonable observer evaluates whether a challenged

[2] This deficiency was noted by the dissent. *McCreary County*, 354 F. 3d 438, 479-482 (6th Cir. 2003) (Ryan, J., dissenting).

governmental practice conveys a message of endorsement of religion"); *Capitol Square Review and Adv. Bd. v. Pinette*, 515 U.S. 753, 780 (1995) (O'Connor, J., concurring); *Elk Grove Unified School Dist. v. Newdow*, 124 S. Ct. 2301 (2004) (O'Connor, J., concurring) ("in examining whether a given practice constitutes an instance of ceremonial deism, its 'history and ubiquity' will be of great importance").

This case cannot be properly evaluated without an understanding of the "history and ubiquity" of the Decalogue as a secular symbol of law in American culture. In fact, a survey of the judicial, executive, legislative and other secular references to and depictions of the Ten Commandments demonstrates that such symbolic use of the Decalogue is at least as ubiquitous and as much a part of "our Nation's cultural landscape," *Newdow*, 124 S. Ct. at 2322, as other traditional practices expressly or implicitly approved by this Court. *See, e.g., Lynch*, 465 U.S. at 674-678 (listing practices which do not violate the Establishment Clause such as Thanksgiving and Christmas national holidays, paid military chaplains, legislative invocations, "In God We Trust" as national motto, "One Nation Under God" in Pledge of Allegiance, executive proclamations of days of prayer and thanksgiving, display of religious art in public museums, provision of chapels in U.S. Capitol for worship and meditation, and this Court's permanent display of Moses with the Ten Commandments).

A. *Evidence of Judicial Recognition*

1. The U.S. Supreme Court

On at least seven occasions, members of this Court have noted the foundational role of the Ten Commandments in the

development of our legal system.[3] See, *McGowan v. Maryland*, 366 U.S. 420 (1961) (Frankfurter, J.,) ("Innumerable civil regulations enforce conduct which harmonizes with religious concerns. State prohibitions of murder, theft and adultery reinforce commands of the decalogue"); *Griswold v. Connecticut*, 381 U.S. 479, 529, n.2 (1965) (Stewart, J., dissenting) (most criminal prohibitions coincide with the prohibitions contained in the Ten Commandments); *Stone v. Graham*, 449 U.S. 39, 45 (1980) (Rehnquist, J. dissenting) (the Ten Commandments, undeniably, "have had a significant impact on the development of secular legal codes of the Western World"); *Lynch*, 465 U.S. at 677 (Burger, C.J.) (noting with approval the presence of depiction of Moses and Ten Commandments on Supreme Court's wall); *Edwards v. Aguillard*, 482 U.S. 578, 593-94 (1987) (Brennan, J.) (Ten Commandments have played both a secular and religious role in the history of Western Civilization); *County of Allegheny,* 492 U.S. at 652-53 (Stevens, J., with whom Brennan, J., and Marshall, J., join concurring in part, dissenting in part) (carving of Moses with Ten Commandments on wall of Supreme Court's courtroom alongside famous secular lawgivers is a fitting message for a courtroom); *City of Elkhart v. Books*, 532 U.S. 1058 (2001) (Rehnquist, C. J., with whom Scalia, J. and Thomas, J., join, dissenting from denial of certiorari) ("Undeniably, however, the Commandments have secular significance as well, because they have made a substantial contribution to our secular legal codes").

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[3] The late Chief Justice Warren attributed such a role to the Bible in general: "I believe the entire Bill of Rights came into being because of the knowledge our forefathers had of the Bible and their belief in it . . . ," quoted in TIME, Feb. 15, 1954.

2. The State Supreme Courts

There are well over a hundred references to the Ten Commandments in the reported decisions of the state supreme courts. Appendix A lists the relevant citations. Each case contains some statement acknowledging the foundational role of the Decalogue in Anglo-American jurisprudence or a reference to the Commandments as an archetype of Law in general. The following examples are illustrative of the tenor of this recurrent theme of American jurisprudence:

- *Bertera's Hopewell Foodland, Inc. v. Masters,* 236 A.2d 197, 200-201 (Pa. 1967) ("This Act of 1794 (Pennsylvania Sunday Closing Law) itself traces an ancestry back to the Ten Commandments fulminated from the smoking top of Mt. Sinai. This divine pronouncement became part of the Common Law inherited by the Thirteen American colonies and by the sovereign States of the American union.")

- *Moore v. Strickling,* 33 S.E. 274, 277 (W.Va. 1899) ("[I]t is said that the illustrious King Alfred adopted the Ten Commandments as the foundation of the early laws of England, contained in his Doom Book. These commandments * * * appeal to us as coming from a superhuman or divine source, and no conscientious or reasonable man has yet been able to find a flaw in them. Absolutely flawless, negative in terms, but positive in meaning, they easily stand at the head of our whole moral system, and no nation or people can long continue a happy existence in open violation of them.")

- *State v. Gamble Skogmo, Inc.,* 144 N.W.2d 749, 768 (N.D. 1966) ("Thus, for temporal purposes, murder is illegal. And the fact that this agrees with the dictates of the Judeo-Christian religions while it may disagree with others does not invalidate the regulation. So too with the questions of adultery

and polygamy. The same could be said of theft, fraud, etc., because those offenses were also proscribed in the Decalogue.")

- *Commissioners of Johnson County v. Lacy,* 93 S.E. 482, 487 (N.C. 1917) ("[O]ur laws are founded upon the Decalogue; not that every case can be exactly decided according to what is there enjoined, but we can never safely depart from this short but great declaration of moral principles without founding the law upon the sand, instead of upon the eternal rock of justice and equity.")

- *O'Rourk v. State,* 53 N.W. 591, 592 (Neb. 1892) ("Free discussion, however, is the outgrowth of free government. All free government is based on the divine law. God gave the ten commandments to Moses, which contain rules designed to apply to the whole race. Although given to the Israelites, they were designed for all humanity.").

- *Anderson v. Maddox,* 65 So.2d 299, 301-302 (Fla. 1953) ("'Thou shalt not steal' and 'thou shalt not bear false witness' are just as new as they were when Moses brought them down from the Mountain.")

Without listing or citing the scores of references to the Decalogue in the decisions of the lower federal and state courts, the foregoing sampling must suffice to demonstrate the point; namely, the judicial branch of our government has historically, unhesitatingly made the connection between the Ten Commandments and our legal system — the same connection made by McCreary County's inclusion of the Commandments in its display.

B. *Recognition by the Executive Branch*

Presidential recognition of the Ten Commandments' role in our legal system and culture has not been wanting. Besides frequent references to the general concept of civic order being based on divine law[4] several U.S. Presidents have made specific reference to the foundational role of the Decalogue; for example, President John Adams wrote:

> If 'Thou shalt not covet' and 'Thou shalt not steal' were not commandments of Heaven, they must be

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[4] For example:

". . . the propitious smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right which Heaven itself has ordained. . ." *Washington's First Inaugural, 1789.*

"enlightened by a benign religion, professed, indeed, and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence . . ." *Jefferson's First Inaugural, 1801.*

"If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove . . . shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him?" *Lincoln's Second Inaugural, 1865.*

"And yet the same revolutionary beliefs for which our forbears fought are still at issue around the globe — the belief that the rights of man come not from the generosity of the state, but from the hand of God." *Kennedy's Inaugural, 1961.*

> made inviolable precepts in every society before it can be civilized or made free.

John Adams, *4 The Works of John Adams, Second President of the United States 9*, (Francis Adams, ed. 1851);

The Nation's Sixth President wrote:

> The law given from Sinai was a civil and municipal as well as a moral and religious code; it contained . . . laws essential to the existence of men in society, and most of which have been enacted by every nation which ever professed any code of laws .

John Quincy Adams, *Letters of John Quincy Adams to His Son* (Auburn: James M. Alden, 1850) pp. 61, 70-71.

Theodore Roosevelt, recounting his crusade against government corruption wrought by public officials operating without moral compasses, wrote:

> Some years ago another public man enunciated much the same doctrine in the phrase, "The Decalogue and the Golden Rule have no part in political life." Such statements, openly made, imply a belief that the public conscience is dull; and where the men who make them continue to be political leaders, the public has itself to thank for all shortcomings in public life.

Theodore Roosevelt, *The Strenuous Life*, 1900.

To Woodrow Wilson is attributed the following:

> If we had the eyes to see the subtle elements of thought which constitute the gross substance of our present habit, both as regards the sphere of private life and as regards the action of the State, we would easily discover how very much we owe to the Jews for the Ten Commandments and other contributions to Western Law.

Quoted in *Equity Inv. v. Paris*, 437 N.Y.S. 2d 1000, 1001 (N. Y. Civ. Ct. 1981).

And, in his characteristically terse fashion, Harry S. Truman said:

> The fundamental basis of this nation's laws was given to Moses on the Mount.

Harry S. Truman, *Public Messages, Speeches and Statements by the President, Jan. 1 to Dec. 31, 1950* (Washington, D.C., U.S. Government Printing Office, 1965) Item 37, p. 157.[5]

C. *Legislative Recognition*

Because, as Justice Frankfurter observed, "innumerable civil regulations . . . reinforce commands of the decalogue," *McGowan v. Maryland*, 366 U.S. 420 (1961), it should come as no surprise to find that, historically, the foundational role of the Commandments has found expression in legislation. It

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[5] For Truman, the law given on Sinai was *the* basis of American law. McCreary County, by contrast, is content to include the Decalogue as merely one among many sources of the law.

is no exaggeration to say that the Ten Commandments, *literally*, have been part of our legal system for over a millennium.

Sir William Blackstone identified King Alfred as the founder of the English common law. *Blackstone's Commentaries*, Book I, Sec. 2.[6] The Laws of King Alfred — the very first written compilation of our laws — start with the Ten Commandments.[7]

The ubiquity of the Ten Commandments in our history also manifests itself in the legal codes of the thirteen original colonies. It may fairly be said that all of the colonies incorporated the Decalogue — in whole or in part — in their legal codes. *See,* examples reprinted in Donald S. Lutz, ed., *Colonial Origins of the American Constitution: A Documentary History*, Liberty Fund, Indianapolis 1998. After independence, the Commandments continued to exert an obvious and strong influence on legislation, even legislation drafted by ardently anti-Establishment lawmakers such as Jefferson and Madison. It was Jefferson, after all, who (along with Madison,) when revising Virginia's code in 1785, included "Bill Number 84: Bill for Punishing Disturbers of

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[6] The founding generation learned its law from Blackstone's *Commentaries on the Laws of England*. Albert Altschuler, *Rediscovering Blackstone*, 145 U. Pa. L. Rev. 1 (1996). As historian Daniel Boorstin puts it, "In the history of American institutions, no other book — except the Bible — has played so great a role . . ." Daniel J. Boorstin, *The Mysterious Science of the Law* (1958).

[7] Harold J. Berman, *Individualistic And Communitarian Theories of Justice: An Historical Approach* 21 U. Cal. Davis L. Rev. 549-575 (1988).

Religious Worship and Sabbath Breakers," *see* Daniel L. Dreisbach, "Religion and Legal Reforms in Revolutionary Virginia," in *Religion and Political Culture in Jefferson's Virginia*, Sheldon, G. W., and Dreisbach, D. L., eds., Rowman and Littlefield Publishers, Inc., Lanham, Md., 2000.[8]

Aside from the broad and undeniable influence of the Mosaic law on our legal system in general,[9] it is clear that specific provisions of the Ten Commandments continue to directly influence and, indeed, be incorporated into our legal codes as even a cursory look at our criminal codes will attest.

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[8] For Jefferson, recourse on important official occasions to the imagery of Moses and the Israelites was apparently second nature. His original design for the Great Seal of the United States was of Moses leading the people of Israel through the Red Sea while Pharaoh and his army drowned, with the following motto: "Rebellion to Tyrants is Obedience to God." Hutson, James H., *Religion and the Founding of the American Republic*, 1998, Library of Congress, Washington, D.C., pp. 50-51. His Second Inaugural also evokes Exodus:

> I shall need, too, the favor of that Being in whose hands we are, who led our forefathers, as Israel of old, from their native land and planted them in a country flowing with all the necessities of life . . .

A Compilation of the Messages and Papers of the Presidents, 1789-1897, 10 vols. (Washington, D.C., U.S. Government Printing Office).

[9] *See, e.g.*, Russell Kirk, *The Roots of American Order*, Regnery Gateway, 1991, 11-49; *and* Michael Novak, *On Two Wings: Humble Faith and Common Sense at the American Founding*, Encounter Books, 2001.

Even the oft-repeated truism that the first three or four of the Commandments are "exclusively religious" turns out not to be true. *See Stone v. Graham*, 449 U.S. at 41-2 (1980). The *Stone* Court majority's characterization of the "first part of the Commandments" as "exclusively religious" cannot withstand examination.[10] The Sabbath observance Commandment was deemed to have broad secular application by the Court itself in *McGowan v. Maryland*, 366 U.S. 420 (1961). The Commandment against "using the Lord's name in vain" is applied in daily secular life, especially in law and politics, where witnesses and government officials still swear to tell the truth or uphold the law "so help me God." *ACLU of Ohio Found., Inc. v. Ashbrook*, 375 F.3d at 507 (6th Cir. 2004) (Batchelder, J., dissenting).

The Commandment against worshipping idols, paradoxically, has had arguably the broadest secular application of all: it was referred to by the pamphleteers of the Revolutionary era as one of the reasons for overturning monarchy with its pretensions of "divine right." *Id.* Thomas Paine, free-thinking Deist though he may have been, made the

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[10] While the routine application of *Stone* by lower courts in Ten Commandments cases is understandable at first glance, it is clear that the lower courts have placed far too much weight on what is, by this Court's definition, a weak precedent. *Stone* was a 5-4 *per curiam* decision rendered without briefing or oral argument. This Court has said that it is "less constrained to follow precedent where . . . the opinion was rendered without full briefing or argument." *Hahn v. United States*, 524 U.S. 236, 257 (1998); *also, Gray v. Mississippi*, 481 U.S. 648, 651, n.1 (1987) (citing *Edelman v. Jordan*, 415 U.S. 651, 671 (1974)) ("The Court, of course, at times has said that summary action here does not have the same precedential effect as does a case decided upon full briefing and argument").

connection which he knew would resonate with the readers of his best-selling *Common Sense*:

> And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.

Thomas Paine, *Common Sense*, quoted in *The Founders' Constitution*, Vol. I, ch. 4, p. 106.

This equating of the British regime with idolatry was a common rhetorical tool used by advocates of American independence in colonial times. Paine was, in fact, merely echoing sentiments widely voiced among his countrymen:

> Not only did Parliament's claims represent tyranny, they also represented idolatry. For colonists to honor these claims would be tantamount to forsaking God and abdicating their national covenant pledge to "have no other gods" before them.

Harry A. Stout, *How Preachers Incited Revolution*, Christianity Today, Spring 1996.

James Otis, in his 1764 work, *The Rights of the British Colonies Asserted and Proved*, thundered:

> It is the greatest idolatry, begotten by flattery, on the body of pride, that could induce one to think that a single mortal should be able to hold so great a power . . . The power of GOD almighty is the only power

> that can properly and strictly be called supreme and absolute.

The Founders' Constitution, Kurland and Lerner, eds. Vol. One, p. 52 (all caps in original.)

Thus, even the First Commandment, the one most readily dismissed in this context as having no discernible secular application, is shown to have had direct secular, political application in the creation of the American polity itself. It is beyond serious question, therefore, that the Ten Commandments — all ten of them — have exerted an enormous influence both on the general framework of our legal system as well as the specifics of our legal codes.

D. *Recognition by Depiction on Public Property*

More than once, members of this Court have pointed to the depiction of Moses and the Ten Commandments in the Court's own courtroom to illustrate acceptable accommodation by government of a religious practice or display. *Lynch,* 465 U.S. at 677; *County of Allegheny*\, 492 U.S. at 652-53. In fact, the U.S. Supreme Court building has no fewer than three depictions of Moses and/or the Ten Commandments: 1) as part of the courtroom frieze, 2) dominating the East Pediment, and, 3) as part of a depiction of John Marshall on the West Pediment.[11] The East Pediment shows Moses holding the tables of the law flanked by Solon of Athens and Confucius.[12] App. B 11a-1.

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[11] Office of the Curator, United States Supreme Court.

[12] *Id.*

The U.S. House chamber features 23 marble relief portraits of "historical figures noted for their work in establishing the principles that underlie American law."[13] According to the House Curator, the "eleven profiles in the eastern half of the chamber face left and the eleven in the western half face right, so that all look towards the full-face relief of Moses in the center of the north wall."[14] App. B 11a-2.

Courthouses and other public buildings across the nation abound with depictions of Moses and the Ten Commandments. The following is a nonexhaustive list of examples (where available, photographs of the depictions are contained in App. B):

- *U.S. Courthouse/Federal Building in Cleveland, Ohio*
  Main courtroom dominated by Edwin Blashfield's "The Law," the center of which depicts two angels pointing at a stone on which are inscribed the Ten Commandments. See "Brief Description of Mural Paintings and Statuary, Federal Building, Cleveland, Ohio." U.S. Dist. Ct. N.D. Ohio, Clerk's Office. See App. B 11a-3.

- *U.S. Courthouse in Indianapolis, IN*
  Ceremonial courtroom features W. B. Van Ingen's "Appeal to Justice" surmounted by two winged figures, one of whom holds the tablets of the

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[13] Office of the Curator, U.S. House of Representatives.

[14] *Id.*

Decalogue. Painting is located above the bench. *Traces*, Vol. 15, No. 3, Summer 2003. App. B 11a-4.

- *Pennsylvania Supreme Court in Harrisburg, PA*
  Supreme Court courtroom contains painting of "The Decalogue — Hebrew Idea of Revealed Law." App. B 11a-5.

- *Cuyahoga County Courthouse in Cleveland, OH*
  County Courthouse has eleven foot high marble statue of Moses holding the Commandments. Statue is above the courthouse's main entrance. App. B 11a-6.

- *Minnesota Supreme Court in St. Paul, MN*
  Features painting of Moses receiving the Ten Commandments on Mt. Sinai. App. B 11a-7.

- *U.S. District Courthouse in Washington, D.C.*
  Ceremonial courtroom displays statues of Moses, Hammurabi, Solon and Justinian. App. B 11a-8.

- *Chester County Courthouse, West Chester, PA*
  Plaque containing text of Ten Commandments affixed to outside wall of courthouse. Constitutional challenge rejected by Third Circuit in *Freethought Society v. Chester County*, 334 F. 3d 247 (3d Cir. 2003) App B 11a-9.

- *Michigan Supreme Court, Lansing, MI*
  Decalogue included in a display of Cornerstones of Law.

- *Allegheny County Courthouse, Pittsburgh, PA*
  Plaque containing text of Decalogue on outside of courthouse. Constitutional challenge rejected by Third Circuit in *Modrovich v. Allegheny County*, 385 F. 3d 397 (3d Cir. 2004).

- *Tennessee Supreme Court, Knoxville, TN*
  Courtroom frieze contains depiction of tablets of the Ten Commandments.

- *New York State Appellate Court, Brooklyn, NY*
  Bas-relief of Moses with Decalogue on the façade of the courthouse. App. B 11a-10.

- *Boston Public Library, Boston, MA*
  John S. Sargent mural of Moses with Commandments in Hebrew script as central panel of north wall. App. B 11a-11.

- *Ronald Reagan Building, Washington, DC*
  "Liberty of Worship" statue resting on the Ten Commandments outside Ronald Reagan Building in Washington, D.C. App. B 11a-12.

- *National Archives, Washington, D.C.*
  Ten Commandments depiction embedded in floor of National Archives Building. App. B 11a-13.

- *Library of Congress, Washington, D.C.*
  Statue of Moses holding Decalogue overlooks main reading room. App. B 11a-14.

- *Nebraska State Capitol, Lincoln, NE*
  Statue of Moses the Lawgiver on outside of state capitol building.

- *Allen County Courthouse, Fort Wayne, IN*
  Circuit Courtroom in Allen County has a mural of Moses and Justinian presenting their laws to their people.

In addition, we know from the case law that the Decalogue has been displayed for decades in courthouses and other public buildings and spaces in Elkhart, Indiana[15]; Cobb County, Georgia[16]; Haywood County, North Carolina[17]; La Crosse, Wisconsin[18]; Salt Lake City, Utah[19]; Denver, Colorado[20]; and dozens of other places across the nation.[21]

The ubiquity of the Ten Commandments as a universally recognizable symbol of Law is thus seen in the incorporation of the Decalogue into the artwork and architecture of our public buildings where our laws are made, interpreted, and

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[15] *Books v. City of Elkhart*, 235 F. 3d 292 (2000) *cert. denied*, 532 U.S. 1058 (2001).

[16] *See Harvey v. Cobb*, 811 F. Supp. 669 (N. D. Ga. 1993), *aff'd* 15 F.3d 1097 (11th Cir. 1994).

[17] *See Suhre v. Haywood Cty.*, 55 F. Supp. 2d 384 (W. D. N. C. 1999).

[18] *Freedom From Religious Foundation, Inc. v. Zielke*, 845 F.2d 1463 (7th Cir. 1987).

[19] *Anderson v. Salt Lake City*, 475 F.2d 29 (10th Cir.) *cert. denied*, 414 U.S. 879 (1973).

[20] *Freedom From Religion Foundation, Inc. v. State of Colorado*, 898 P.2d 1013 (Colo. 1995) *cert. denied*, 516 U.S. 1111 (1996).

[21] *See Anderson, supra.*

executed. In a far more literal sense than the legislative prayer at issue in *Marsh*, the Ten Commandments have become "part of the fabric of our society." 463 U.S. at 792.

E. *Recognition in Secular and Popular Culture*

It is also significant to note the way in which the Ten Commandments have become part of secular and popular culture and discourse. This not only distinguishes their use as a symbol from more quintessentially religious symbols such as crucifixes and crèches, but also underscores the fact that, for a reasonable observer, no message of religious disapproval or disenfranchisement automatically follows from a governmental display of the Decalogue.

The cultural ubiquity of the Decalogue is perhaps best illustrated by the frequency with which the phrase "Ten Commandments of . . ." is used in our culture — not connected with religion at all — to convey a set of important, authoritative rules or guidelines for a variety of activities. A survey of periodicals, articles and books from such diverse, secular disciplines as medicine, sociology, business and agriculture shows literally hundreds of titles using the phrase "Ten Commandments of . . ." in purely secular settings. (Appendix C sets forth nearly 200 such titles found in an internet search of databases in "Kentucky Virtual Public Library" on November 27, 2004).

It seems unlikely that a "reasonable observer," who embodies "a community ideal of social judgment, as well as rational judgment," *Pinette*, 515 U.S. at 781, would perceive a message of approval or disapproval of his or her religious choices when, after overindulging on Thanksgiving, he or she picks up a copy of "The Ten Commandments of buying TV fitness gadgets." App. C. The reasonable Zoroastrian

otologist would probably not turn in his medical license in disgust after perusing "Ten Commandments for writing a marvelous medical paper" in his office copy of "ENT: Ear, Nose and Throat Journal." App. C. Few, if any, atheist attorneys would withdraw their appearances in cases in the Eighth Circuit Court of Appeals even after stumbling upon the reference to Judge Myron Bright's "The Ten Commandments of Oral Argument" on the Eighth Circuit's website. App. C; also at, *Practitioner's Handbook for Appeals to the Eighth Circuit*, Third Edition (2000) at 105.

The point, of course, is that references to the Decalogue in completely secular contexts are so ubiquitous in American society that the reasonable observer does not automatically think "religion" every time he or she sees a depiction of or comes across the words "The Ten Commandments;" nor does the reasonable observer require a learned treatise setting forth the evidence connecting the Decalogue with the development of Anglo-American law and culture, *McCreary County*, 354 F. 3d at 476 (Ryan, J., dissenting) in order to dispel any suspicion that "The Ten Commandments of Furniture Repair" might be a sly attempt at religious proselytization. App. C.

* * *

The Sixth Circuit's failure to appreciate the place in the Nation's cultural landscape of the Ten Commandments as a universally recognized symbol of Law led to the erroneous result in this case. The nation's courthouses and court decisions, its legislation and legislators, its political and popular culture, all combine to repudiate the Sixth Circuit's absurdly jingoistic and narrow-minded dismissal of the Decalogue as something "several thousands of years old, [and] not a product of European or American culture . . ."

McCreary County, 354 F. 3d at 460. On the contrary, the widespread and longstanding recognition by government and secular society of the Decalogue's foundational role is firmly embedded in American culture and, like the traditions and practices catalogued by this Court in *Marsh* and *Lynch*, is "part of the fabric of our society." *Marsh*, 463 U.S. at 1792.

CONCLUSION

Justice Goldberg once wrote that:

> [n]either government nor this Court can or should ignore the significance of the fact that many of our legal, political and personal values derive historically from religious teachings.

Abington School Dist. v. Schempp, 374 U.S. 203, 306 (1963) (Goldberg, J., concurring)

The Sixth Circuit's decision in this case ignores the significance of the Decalogue's role in and impact on American culture. The court's erroneous reasoning is constitutionally unwarranted and historically myopic and would lead to the bulldozing of the Nation's cultural landscape.

This Court should reverse the decision of the court below.

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APPENDIX A

STATE SUPREME COURT DECISIONS WHICH REFER TO THE TEN COMMANDMENTS

Addison v. State, 116 So. 629 (Fla. 1928)

Albany Theatre, Inc. v. Short, 154 S.E. 895, 898 (Ga. 1930)

Ames, City of, v. Gerbracht, 189 N.W. 729, 733-734 (Iowa 1922)

Amick v. Montross, 220 N.W. 51, 56 (Iowa 1928)

Anderson v. Maddox, 65 So.2d 299, 301-302 (Fla. 1953)

Atlanta & C. A. L. R. Co. v. Gravitt, 20 S.E. 550, 552 (Ga. 1893)

Barbour v. Barbour, 330 P.2d 1093, 1098 (Mont. 1958)

Baumhoff v. St. Louis & K. R. Co., 104 S.W. 5, 12 (Mo. 1907)

Bertera's Hopewell Foodland, Inc. v. Masters, 236 A.2d 197, 200-201 (Pa. 1967).

Brimhall v. Van Campen, 8 Minn. 13, 22 (1863)

Broadwater v. Otto, 88 A.2d 878, 882 (Pa. 1952)

Bunch v. Shaw, 355 So. 2d 1383, 1384 (Miss. 1978)

Byrn v. New York City Health & Hospitals Corp., 286 N.E.2d 887, 894 (N.Y. 1972)

Caldor, Inc. v. Thornton, 464 A.2d 785 (Conn. 1983)

Caldwell v. Hennen, 1843 La. LEXIS 177, 13; 5 Rob. 20, 26 (1843)

Campbell v. State, 11 Ga. 353, 373 (1852)

Carolina Amusement Co. v. Martin, 115 S.E.2d 273, 277 (S.C. 1960)

Cason v. Baskin, 20 So.2d 243, 247 (Fla. 1944) (en banc)

Chance, State v., 221 P. 183, 188 (N.M. 1923)

Chapman Dodge Center, Inc., State v., 428 So. 2d 413 (La. 1983)

Chicago, B. & Q. R. Co., State v., 143 S.W. 785, 804 (Mo. 1912)

Commissioners of Johnston Co. v. Lacy, 93 S.E. 482, 487 (N.C. 1917)

Costello v. State, 260 So. 2d 198, 205 (Fla. 1972)

Crow, State ex rel., v. Shepherd, 76 S.W. 79, 93 (Mo. 1903)

Crowder v. Philips, 146 Fla. 428, 435 (Fla. 1941)

David H., In re Application of, 451 A.2d 657 (Md. 1982)

Davis, State v., 120 P.2d 808, 810 (Ariz. 1942)

Dell Publications, Inc., Commonwealth v., 233 A.2d 840, 862 (Pa. 1967)

DeRinzie v. People, 138 P. 1009, 1010 (Colo. 1913)

Discargar v. Seattle, 171 P.2d 205, 209 (Wash. 1946)

Doll v. Bender, 47 S.E. 293, 300-301 (W.Va. 1904)

Domestic Block Coal Co. v. De Armey, 102 N.E. 99, 102 (Ind. 1913)

In re Dominy, 779 P.2d 402, 405 (Idaho 1989)

Donahey, State ex rel., v. Edmondson, 105 N.E. 269, 275 (Ohio 1913)

Donaldson, State v., 99 P. 447, 449 (Utah, 1909)

Dunbar, People ex rel., v. Weinstein, 312 P.2d 1018, 1021 (Colo. 1957)

Earley v. Winn, 109 N.W. 633, 640 (Wisc. 1906)

In re Elliott, 446 P.2d 347, 364 (Wash. 1968)

Farr v. Nordman, 78 N.W.2d 186, 195 (Mich. 1956)

Feldman, State ex rel. v. Kelly, 76 So. 2d 798, 802 (Fla. 1954)

Finger, State ex rel., v. Weedman, 226 N.W. 348, 380 (S.D. 1929)

Foreman, State v., 16 Tenn. 256, 284 (1835).

Fox v. Abel, 2 Conn. 541, 553-554 (1818)

Gamble Skogmo, Inc., State v., 144 N.W.2d 749, 768 (N.D. 1966)

George J. Meyer Mfg. Co. v. Howard Brass & Copper Co., 18 N.W.2d 468, 475 (Wisc. 1945)

Gibbs, State ex rel. v. Couch, 139 Fla. 353, 381-382 (Fla. 1939)

Gillooley v. Vaughn, 110 So. 653, 655 (Fla. 1926)

In re Girard College Trusteeship, 138 A.2d 844, 862 (Pa. 1958)

Gould, State v., 46 S.W.2d 886, 889-890 (Mo. 1932)

Greyhound Computer Corp. v. State Dep't of Assessments & Taxation, 320 A.2d 52, 53 n.3 (Md. 1974)

Hackett v. Brooksville Graded School Dist., 87 S.W. 792, 797 (Ky. 1905)

Hambrick, State v., 196 P.2d 661, 665 (Wyo. 1948)

Harris v. Security Life Ins. Co., 154 S.W. 68, 70 (Mo. 1913)

Haskins v. Royster, 70 N.C. 601, 613 (1874)

Hattiesburg v. Beverly, 86 So. 590, 592 (Miss.1920)

Haynes v. Presbyterian Hospital Ass'n , 45 N.W.2d 151, 153 (Iowa 1950)

Hennington v. the State, 17 S.E. 1009, 1010 (Ga. 1892)

Hild v. Hild, 157 A.2d 442, 448, n.5 (Md. 1960)

Hill v. Wilker, 41 Ga. 449, 453 (1871)

Hills v. State, 85 N.W. 836, 839 (Neb. 1901)

Hollywood Motion Picture Equipment Co. v. Furer, 105 P.2d 299, 301 (Cal. 1940)

Holt v. Holt, S.E.2d 504, 508 (Va. 1939)

In re Hopkins, 103 P. 805, 806 (Wash. 1909)

Hosford v. State, 525 So.2d 789, 799 (Miss. 1988)

Ex parte James, 713 So. 2d 869, 899 (Ala. 1997)

Johnson v. State, 163 S.W.2d 153, 156 (Ark. 1942)

Johnston County, Commisioners of v. Lacy, 93 S.E. 482, 487 (N.C. 1917)

Kaplan v. Independent School Dist., 214 N.W. 18, 21 (Minn. 1927)

Kennade, State v., 26 S.W. 347, 350 (Mo. 1894)

In re Kien, 372 N.E.2d 376 (Ill. 1977)

Lambert v. People, 9 Cow. 578, 592 (N.Y. 1827)

Landgraver v. Emanuel Lutheran Charity Board, 280 P.2d 301, 313 (Ore. 1955)

Lane v. Department of Labor & Industries, 151 P.2d 440, 448 (Wash. 1944)

Lashley, State ex rel., v. Becker, 235 S.W. 1017 (Mo. 1921)

Lenston v. Commonwealth, 497 S.W.2d 561, 563 (Ky. 1973)

Malumphy, State v., 461 P.2d 677, 686 (Ariz. 1969)

Markham v. Markham, 272 So. 2d 813, 815 (Fla. 1973)

Marshall v. Salt Lake City, 141 P.2d 704, 711 (Utah 1943)

Mayer v. Frobe, 22 S.E. 58, 61 (W.Va. 1895)

Mays, State v., 395 P.2d 758, 764 (Wash. 1964)

McCurdy, State ex rel., v. Bennett, 163 N.W. 1063, 1066 (N.D. 1917)

Mei, Ex parte, 192 A. 80, 82 (N.J. 1937)

Missouri P. R. Co., State v., 147 S.W. 118, 123 (Mo. 1912)

Moore v. Strickling, 33 S.E. 274, 277 (W.Va. 1899)

Mosko v. Dunbar, 309 P.2d 581, 590 (Colo. 1957)

Murphy v. Campbell Inv. Co., 486 P.2d 1080, 1083 (Wash. 1971)

Murrow Indian Orphans Home v. Childers, 171 P.2d 600, 609 (Okla. 1946)

Myers v. Vanderbelt, 84 Pa. 510, 513 (1877)

Nashville R.R. v. Howard, 78 S.W. 1098, 1103 (Tenn. 1903)

Norton v. Doolittle, 5 Cow. 678, 684 (N.Y. 1825)

Ogden, State ex rel., v. Hunt, 286 P.2d 1088, 1092 (Okla. 1955)

Ohio AFL-CIO, State ex rel., v. Voinovich, 631 N.E.2d 582, 599 (Ohio 1994)

Oldham County, Department of Revenue v., 415 S.W.2d 386, 393 (Ky. 1967)

O'Malley, State ex rel., v. Lesueur, 15 S.W. 539, 542 (Mo. 1890)

One 1955 Willys Jeep, State v., 595 P.2d 299, 308 (Idaho 1979)

Onorato, Succession of, 51 So.2d 804, 810 (La. 1951)

O'Rourk, State v., 53 N.W. 591, 592 (Neb. 1892)

Owens v. Commonwealth, 43 S.E.2d 895, 904 (Va. 1947)

P.G. & H. Coal Co. v. International Union, United Mine Workers, 390 S.E.2d 551, 562 (W. Va. 1988)

Palmetto Golf Club v. Robinson, 141 S.E. 610, 619 (S.C. 1928)

Paramount-Richards Theatres v. City of Hattiesburg, 49 So.2d 574, 577 (Miss. 1950)

Pearce v. Atwood, 13 Mass. 324, 345-346 (1816)

Pierce v. Yakima Valley Memorial Hospital Ass'n, 260 P.2d 765 (Wash. 1953)

Price v. Hitaffer, 165 A. 470, 473 (Md. 1933)

Raines v. Watson, 2 W. Va. 371, 387 (1868)

Raleigh Mobile Home Sales, Inc. v. Tomlinson, 174 S.E.2d 542, 546 (N.C. 1970)

Ralph A. Badger & Co. v. Fidelity Bldg. & Loan Ass'n, 75 P.2d 669, 682 (Utah 1938)

Raymond v. Cotner, 120 N.W.2d 892, 899 (Neb. 1963)

Redwine, State v., 161 P.2d 205, 210 (Wash. 1945)

Riggs v. Palmer, 22 N.E. 188, 190 (N.Y. 1889)

Ring, People ex rel., v. Board of Education, 92 N.E. 251, 258 (Ill. 1910)

Rose, State ex rel., v. Piper, 69 N.W. 384, 387 (Neb. 1896)

Savannah Electric Co. v. Tuck, 63 S.E. 800, 801 (Ga. 1909)

Schreifels v. Schreifels, 287 P.2d 1001, 1005 (Wash. 1955)

Seattle v. Gervasi, 258 P. 328, 329 (Wash. 1927)

Shackelford v. Pool, 9 P.2d 756, 760 (Okla. 1932)

Sheppard v. Michigan Nat'l Bank, 83 N.W.2d 614, 618 (Mich. 1957)

Silliman v. People, 162 P.2d 793, 800 (Colo. 1945)

South C. & C. S. R. Co. v. Herrklotz, 47 S.W. 265, 269 (Ky. 1898)

Sparhawk v. Union P. R. Co., 54 Pa. 401, 433 (1867)

Spoon-Shacket Co. v. Oakland County, 97 N.W.2d 25, 32 (Mich. 1959)

Starobin v. Northridge Lakes Development Co., 287 N.W.2d 747, 753 (Wisc. 1980)

Steinman v. McWilliams, 6 Pa. 170, 173 (1847

Stephens v. Commonwealth, 522 S.W.2d 181, 183 (Ky. 1975)

Stevens v. Woodmen of World, 71 P.2d 898, 902 (Mont. 1937)

In re Substitute Nomination for Vacancy, etc., 118 A.2d 750, 755 (Pa. 1955)

Sumpter v. State, 261 Ind. 471, 306 N.E.2d 95, 101 (Ind. 1974)

Swift & Co. v. Peterson, 233 P.2d 216, 231 (Or. 1951)

Tampa, City of v. State, 48 So.2d 78, 79 (Fla. 1950)

Territory v. Fasi, 40 Haw. 478, 484 (Haw. 1954)

Thayer v. Littlejohn, 1841 La. LEXIS 69, 2; 1 Rob. 140 (1841)

Theisen v. McDavid, 16 So. 321, 323 (Fla. 1894)

Thomas, People v., 2 Cal. 4th 489, 537 n16 (1992)

Thronson v. Blough, 166 N.W. 132, 134 (N.D. 1917)

Tinder v. Clarke Auto Co., 149 N.E.2d 808, 813 (Ind. 1958)

Town v. Land Use Comm'n, 524 P.2d 84, 88 (Haw. 1974)

Watts v. Gerking, 228 P. 135, 141 (Ore. 1924)

Weiss, State ex rel., v. District Bd. of School Dist. No. Eight of Edgerton, 44 N.W. 967, 974 (Wisc. 1890)

West v. State, 67 So. 2d 366, 369 (Miss. 1953)

Westbrook v. Mobile & O. R. Co., 6 So. 321, 322 (Miss. 1889)

White v. East Side Mill & Lumber Co., 158 P. 527, 528 (Ore. 1916)

Wright v. Daniels, 164 N.W.2d 180, 185 (Iowa 1969)

Yarnall v. Yarnall, 460 N.W.2d 161, 165 (S.D. 1990)

Yunker v. Nichols, 1 Colo. 551, 553 (1872)

APPENDIX B

COLOR PHOTOS

DEPICTIONS OF MOSES AND THE TEN COMMANDMENTS ON PUBLIC PROPERTY



East Pediment of U.S. Supreme Court Building



Detail

11a-2



Chamber of U.S. House of Representatives
Relief of Moses

11a-3



U.S. Courthouse / Federal Building in Cleveland, Ohio
Blashfield's mural "The Law"

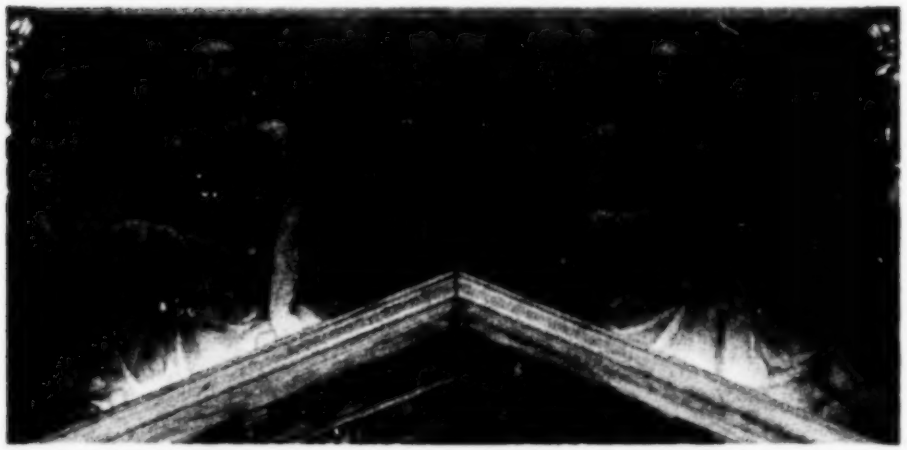


Detail

11a-4



U.S. Courthouse in Indianapolis, Indiana
Van Ingen's "Appeal to Justice"



Detail

11a-5



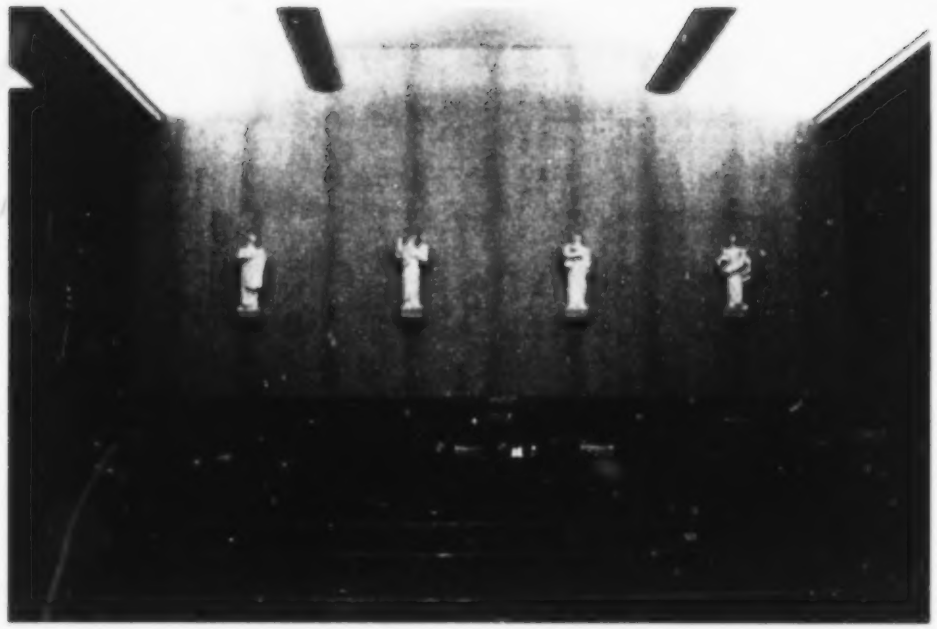
Pennsylvania Supreme Court
"The Decalogue — Hebrew Idea of Revealed Law"



Cuyahoga County Courthouse in Cleveland, Ohio
Statue of Moses Overlooking Main Entrance



.Minnesota Supreme Court
Moses Receiving the Ten Commandments



U.S. District Courthouse, Washington, D.C.
Statutes of Hammurabi, Moses, Solon, Justinian



Chester County Courthouse
Chester County, Pennsylvania



Monroe Place Courthouse
New York Appellate Division, Second Judicial Department
Brooklyn, New York
Bas-Relief of Moses



Boston Public Library,
Central Panel of North Wall
Mural of Moses by J.S. Sargent



Ronald Reagan Building and International Trade Center
Washington, D.C.



National Archives Building
Washington, D.C.



Library of Congress, Washington, D.C.
Statue of Moses Overlooking Main Reading Room

APPENDIX C

Results of internet search November 27, 2004, of periodicals, articles and books containing title "Ten Commandments of . . ." in "Kentucky Virtual Public Library"

1. *Ten commandments of structural equation modeling*, Thompson, Bruce, Texas A & M U, College Station, TX, US

2. *The Ten Commandments of Consultation-Liaison*, Hall, Howard R., Contemporary Psychology: APA Review of Books, 1995, Vol 40(1), p. 36.

3. *Ten commandments for avoiding clergy malpractice in pastoral counseling*, Berman, William B, Christian Family Inst, Tulsa, OK, US, Journal of Psychology & Christianity

4. *Treatment outcome research in child psychology: Realistic coping with the "Ten Commandments of Methodology,"* Peterson, Lizette, Bell-Dolan, Debora, U Missouri, Dept of Psychology, Columbia, US, Journal of Clinical Child Psychology

5. *Teaching questionnaire construction effectively: The Ten Commandments of question writing*, Ellard, John H., Contemporary Social Psychology

6. *The ten commandments of pediatric Emergency Medicine*, Givens T., Journal of emergency medicine 27 (2), 193-4

7. *The Ten Commandments*, Gould, J.S., American journal of orthopedics 32 (12), 578

8. *Ten commandments for effective clinical decision support: making the practice of evidence-based medicine a reality*, Bates, DW, Journal of the American Medical Informatics Association : JAMIA 10 (6), 523-30

9. *Ten commandments of enzymology*, Kornberg, A., Trends in biochemical sciences 28 (10), 515-7

10. *The ten commandments of caring for patients after open heart surgery*, Simani-Oren L, Home healthcare nurse 21 (8), 551-6; quiz 557-8

11. *The ten commandments: what every surgeon should know about performing dermatologic surgery*, Robins, P., Journal of drugs in dermatology : JDD 1 (2), 140-4

12. *The Ten Commandments of effective budgeting*, Levin, RP, Compendium of continuing education in dentistry 23 (5), 396-8, 400

13. *Medical consequences of biological warfare: the Ten Commandments of management*, Cieslak, TJ, Military medicine 166 (12 Suppl), 11-2

14. *The ten commandments in multiple pregnancies*, Di Renzo, GC, et al., Twin research : the official journal of the International Society for Twin Studies 4 (3), 159-64

15. *Ten commandments of risk management*, Johnson, WB, Journal of the Mississippi State Medical Association 41 (9), 732-4

16. *Environmental angels. Catholic health care system abides by environmental Ten Commandments*, Nordhaus-Bike AM, Materials management in health care 9 (6), 20, 22

17. *Ten commandments for preventing contamination of primary cell cultures*. Vierck JL, Methods in cell science : an official journal of the Society for In Vitro Biology 22 (1), 33-41

18. *Ten commandments of headache medicine*, Singer RS, Headache 39 (8), 589-90

19. *The ten commandments of office-based surgery with anesthesia*, Harouche EF, Plastic and reconstructive surgery 102 (3), 927

20. *Ten commandments for writing family medicine grants*. , Beasley JW, Family medicine 30 (7), 515-6

21. *Ten commandments of peer review*, Maguire D, Neonatal network : NN 17 (1), 63-7

22. *The ten commandments of behavioral genetic data and criminology*, Nygaard RL, Judges' journal 36 (3), 59-64, 94-96

23. *Ten commandments for the care of terminally ill patients*, Whitten JR, American family physician 57 (5), 935, 939-40

24. *Four indefensible phlebotomy errors and how to prevent them*, Ernst DJ, Journal of healthcare risk management : the journal of the American Society for Healthcare Risk Management 18 (2), 41-6

25. *Getting your message out with social marketing*, Manoff RK, American journal of tropical medicine and hygiene 57 (3), 260-5

26. *The ten commandments of psychiatric research*. Detre T, Biological psychiatry 40 (7), 675-81

27. *Ten principles and ten commandments of radiation protection*, Strom DJ, Health physics 70 (3), 388-93

28. *Guidelines for treating low back pain in primary care*. The Israeli Low Back Pain Guideline Group, Borkan J, Harefuah 130 (3), 145-51; 224

29. *Ten measurement commandments that often should be broken*, Knapp TR, Research in nursing & health 18 (5), 465-9

30. *Ten commandments of TQM*, Sahney VK, Healthcare information management : journal of the Healthcare Information and Management Systems Society of the American Hospital Association 8 (4), 3-4

31. *Ten commandments without Mr. DeMille.*, Friedenreich K, Administrative radiology : AR 13 (6), 42-5

32. *The ten commandments of caring for HIV-infected patients*, Glatt AE, Infectious disease clinics of North America 8 (2), 275-8

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